

Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 2 - 13, 20 - 23 and 25 - 27 are presently pending in the application. Claims 2 - 13 and 20 - 23 have been amended. Claims 1, 14 - 16 and 24 have been canceled. New claims 25 - 27 have been added. Applicant gratefully acknowledges that claims 20 and 21 have been indicated as allowed and claims 22 and 23 have been indicated as allowable if the 35 U.S.C. § 112 rejection is overcome.

In items 2 and 3 of the above-identified Office Action, it was indicated that certain grammatical corrections should be made to claims 21 and 22. The Examiner's suggested corrections have been made.

In item 5 of the Office Action, claims 22 and 23 were rejected as allegedly being indefinite under 35 U.S.C. § 112, second paragraph. More specifically, it was alleged in the Office Action that in claims 22 and 23, the phrase "feeding wavelength division multiplex signals into a user device configured for connecting to the access node" was not clear. Applicant has amended claims 22 and 23 to clarify that the division multiplex signals are fed into the optical network.

This is supported in the instant application, on page 13,
lines 6 - 9, which states:

The signal processing block 16 transmits the wavelength division multiplex signals produced in it to the second optical conductors 4.1-4.m which thus leads to them being fed (step 7) into the optical network.

As such, it is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph.

Claims 20, 22 and 23 have additionally been amended to further clarify the claimed invention.

In item 7 of the above-identified Office Action, claims 1 - 9, 11, 12, 14 - 16 and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U. S. Patent No. 6,137,613 to Ushirozawa in view of U. S. Patent No. 5,717,795 to Sharma et al.

It is believed that the above rejections are moot in view of the cancellation of Claims 1, 14 - 16 and 24, and the amendment of the remaining dependent claims to depend, ultimately, from allowed claim 21.

Additionally, new claim 25 recites an optical network with elements corresponding to a particular set of devices for

performing the method of allowed claim 21. Such an optical network is supported by the instant application, page 9, line 7 - page 12, line 9. As such, it is believed that new claim 25 is allowable for the same reasons as allowed claim 21. New claims 26 and 27 are additionally believed allowable, as they depend from allowable claim 25.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 20 - 23 and 25. Claims 20 - 23 and 25 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 21 or 25.

In view of the foregoing, reconsideration and allowance of claims 2 - 13, 20 - 23 and 25 - 27 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Applic.'No. 09/775,040
Response Dated August 31, 2005
Responsive to Office Action of May 31, 2005

Please charge any fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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